

INFORMATION LETTER

Not for
Publication

NATIONAL CANNERS ASSOCIATION

For Members
Only

No. 553

Washington, D. C.

June 1, 1935

Bills to Amend A. A. A. Sent Back to Committee

As a result of the Supreme Court decision in the Schechter case, both Senate and House have sent back to committee the pending bills to amend the Agricultural Adjustment Act. It will be recalled that the Senate had moved to consider the House bill (H.R. 8052) as a substitute for the bill reported by its own committee (S. 1807). The pending bills are being studied in the light of the Schechter case decision.

The House has marked time since the Supreme Court announced its decision, adjourning on Wednesday until Friday, and on Friday adjourning to Monday.

The Senate passed the Copeland bill, as noted elsewhere in the INFORMATION LETTER. It also passed the Black lobbyist registration bill, but that action is being reconsidered. The T.V.A. bill is now being debated in the Senate.

The National Canners Association is mailing a bulletin to all canners furnishing an analysis by the Association's counsel of the Schechter case decision and discussing the possible effect of that decision on the bill to amend the Agricultural Adjustment Act and the Wagner Labor Relations bill.

Senate Passes Copeland Bill

The Copeland bill (S. 5), with further amendments, was passed by the Senate on May 28th without a record vote. The amendments approved by the Senate prior to final passage related chiefly to the misbranding and multiple seizure provisions. The bill now goes to the House Committee on Interstate and Foreign Commerce, and the possibility of its ultimate passage by Congress depends largely upon the ability of that Committee to handle the Food and Drugs bill, along with other important measures such as the Utilities bill, which it has under consideration.

On April 8th the Senate adopted amendments on misbranding and seizures, offered by Senator Bailey, which were unacceptable to Senator Copeland and the Food and Drug Administration. Following adoption of these amendments Senator Copeland agreed to the bill being dis-

placed as the "unfinished business" of the Senate, and it went back on the calendar. Since that time a successful effort was made to compose the differences between Senator Copeland and those who had offered or proposed to offer amendments, with the result that when the bill came up on May 28th the series of amendments thus agreed upon was adopted without debate.

Most of these amendments do not relate to the food provisions of the bill. One amendment of interest is that the fine for violating prohibited acts is placed at not more than \$1,000 for a first offense, instead of "not less than \$100 nor more than \$1,000." Similarly, no minimum fine was set for second or subsequent offenses. A proviso was added to the section dealing with prohibited actions and penalties "that any person who violates any of the provisions of subdivisions (4) or (5) of paragraph (a) of this section shall only be liable for and forfeit and pay a civil penalty of not more than \$1,000 to be recovered by civil action in the district court within the district where the person resides or carries on business if (1) the violation does not involve imminent danger to health or gross deception, and (2) the violation is established by opinion evidence only."

With respect to seizures, the bill, as passed by the Senate, provides that: "Not more than one seizure shall be instituted in cases of alleged misbranding, except when the secretary has probable cause to believe from facts found by him that such article is so misbranded as to render it imminently dangerous to health, or when such alleged misbranding has been the basis of a prior judgment in favor of the United States in a criminal prosecution or libel for condemnation proceeding under this act respecting such article: and provided further, that said single seizure action shall, on motion, be removed for trial to the jurisdiction of the claimant's residence."

"The article shall be liable to seizure by process pursuant to the libel, and the procedure in cases under this section shall conform, as nearly as may be, to the procedure in admiralty; except that either party may demand trial by jury of any issue of fact joined in any such case. In cases of articles of food, drugs, devices, or cosmetics seized under the provisions of this section when the same issues of adulteration or misbranding under the provisions of this act, raised by the same claimant, are pending in various jurisdictions the United States District Court for any district where one of such seizures is pending, or for the district of the claimant's residence, is hereby vested with jurisdiction to consolidate and try such cases; and on application of the claimant, seasonably made, such cases may be tried in any such jurisdiction of the claimant's choice."

Under Section 713, dealing with duties of the United States Attorney, the following is added: "Notwithstanding the provisions of Sec-

tion 876 of the revised statutes, subpoenas for witnesses who are required to attend a court of the United States, in any district, may run into any other district in any proceeding under this act."

A proviso was also added to the bill that "nothing in this act shall impair or be construed to impair or diminish the powers of the Federal Trade Commission under existing law."

Sweden Grants Concessions on Canned Products

Under the reciprocal trade agreement between the United States and Sweden, signed by representatives of the two countries on May 25th, Sweden reduced its import duties on canned peaches, apricots, pineapples, pears, grapefruit, mixed fruits for salad, soup, and pork and beans imported from the United States. On all of these items the old rate was 75 Swedish crowns per 100 kilos. Under the agreement the rate is reduced to 50 crowns on all items except pineapples and grapefruit, on which two the rate is lowered to 30 crowns. The exchange value of the Swedish crown (par, 45.37 cents) averaged 25.98 cents in 1934. The kilo is equivalent to 2.2046 pounds.

According to Swedish statistics, imports of canned fruits from the United States amounted to \$248,631 in 1930 and \$83,194 in 1933. The Swedish statistics do not state separately the value of imports of soups and pork and beans.

Sweden also removed the duty on pickled or salted salmon, fresh grapefruit, and raisins, and extended the low duty season on fresh apples and pears under the Swedish tariff. Sweden also agreed to "binding" the following items on the Swedish free list: dried apricots, peaches, prunes, pears, and apples.

Concessions by the United States included such items as two kinds of wood pulp, so-called Swedish "health" bread, and certain classes of iron and steel, wrapping paper, process paper, board, and matches.

The agreement comes into full force on the thirtieth day after the exchange at Stockholm of the instruments of approval and ratification, and remains in force for the term of three years thereafter, unless terminated pursuant to the provisions of the agreement.

Crop Conditions

The following statement on crop conditions is the first of a series of weekly statements to be carried in the INFORMATION LETTER. They are based on telegraphic reports from canners and indicate the conditions of the crop up to Thursday of each week.

VIRGINIA: Pea pack at Tidewater and Eastern Shore sections of Virginia is practically completed. Reports indicate that the quality of the pack was well above average with yields running from 85 to 95 cases per acre.

MARYLAND AND DELAWARE: In Delaware and in the Eastern Shore of Maryland pea acreage is considerably larger than last year. Crop prospects are excellent. There is a fine stand and vines are healthy. Moisture and temperature have both been favorable for good growth. No sign of aphis to date. A few canners in lower Maryland have already started packing. The majority of canners on the Eastern Shore of Maryland and lower Delaware expect to start about the sixth of June. The greater portion of the pack in that area will probably be completed in about eight days. Owing to the heavy vine growth, however, some canners may require two or three days longer.

SOUTHERN PENNSYLVANIA AND NORTHERN MARYLAND: Weather conditions in this area have been favorable and the pea crop is coming along in fine shape. Canners expect to start packing about June 13.

OHIO: Conditions of peas around Circleville are slightly below average with some sections ranging better than average. Weather conditions during the past week have been most ideal for peas. In northern Ohio pea crop is late and not making the progress that it is around Circleville. Packing will probably start in southern Ohio about June 8.

Corn and string bean planting is at least two weeks late and setting of tomato plants about 10 days late.

WISCONSIN: "Seeding of peas for canning is approximately two-thirds completed throughout the state as a whole. There has of course been serious delay due to excessive rains and below-normal temperatures. There evidently will be a very definite tendency for the crop to bunch at harvesting time. Those seedlings that are above the ground are showing an excellent root growth with the top growth somewhat retarded due to cool weather. No blossoming in evidence as yet. General showers in southern Wisconsin May 28th and 29th with temperature about normal should stimulate a rapid growth, although the crop is definitely ten days to two weeks behind normal schedule."

"Corn planting is just starting with soil conditions in excellent shape for quick germination of this crop."

The following table is the temperature in degrees and rainfall in inches for each of the principal pea canning sections. These data are shown for the weeks ended May 14th and May 28th, this year, and for the week ended May 29th, 1934.

District	Week ended May 21, 1935		Week ended May 28, 1935		Week ended May 29, 1934	
	Temp.	Rain	Temp.	Rain	Temp.	Rain
Maine	51	.1	53	.0	55	.3
Western New York	50	.0	56	.0	56	.1
Tri-States	61	.4	63	.1	63	1.5
South Central Ohio	55	.1	61	.0	60	.1
Central Indiana	54	1.1	61	.1	60	.4
Central Illinois	54	.4	59	1.0	62	.2
Northern Illinois, Southern Wisconsin	53	.0	58	.1	60	.0
Southern Minnesota	57	.0	59	.0	66	.0
Northern Colorado	47	2.4	55	.6	67	.0
Northern Utah	54	.3	64	.6	76	.0
Northwestern Washington	56	.4	58	.0	75	.0
Southeastern Washington	60	.1	63	.0	64	.0

Fruit and Vegetable Market Competition

CARROT SHIPMENTS AS REPORTED BY THE BUREAU OF AGRICULTURAL ECONOMICS,
DEPARTMENT OF AGRICULTURE

Commodity	Week ending May 25		Week ending May 18		Total for season through May 25	
	1934	1935	1935	1934	1935	
Vegetables:						
Beans, snap and lima	680	278	472	10,642	7,841	
Tomatoes	1,358	1,115	700	10,945	11,887	
Green peas	166	484	317	3,782	3,481	
Spinach	35	18	50	7,660	5,407	
All other vegetables:						
Domestic—						
Competing directly	3,854	3,852	4,897	96,096	95,779	
Competing indirectly ..	20	7	10	9,509	12,344	
Imports—						
Competing directly	521	162	213	
Competing indirectly ..	4	15	3	80	85	
Fruits:						
Citrus, domestic	2,228	3,060	3,765	73,641	82,138	
Imports	51	4	6	771	353	
Others, domestic	2,306	1,833	1,111	27,496	26,446	

Production and Stocks of Canned Milk

	1935	1934	Change
	Pounds	Pounds	Per cent
Manufacturers' stocks (case goods) May 1:			
Evaporated (36 firms).....	73,202,775	116,747,058	- 37.22
Condensed (8 firms).....	5,551,733	5,924,014	- 6.28
Total production, April:			
Evaporated (36 firms).....	174,262,666	144,384,701	+ 20.69
Condensed (7 firms).....	6,374,514	5,990,441	+ 6.41

Merger of All Pineapple Canneries in Taiwan

Merger of the 78 pineapple canneries in Taiwan, pending since February, 1934, has finally been effected, according to the American

consul at Taihoku. The new company will be known as Taiwan Hori Godo Kaisha, with a capital of 5,000,000 yen, of which 2,160,000 yen will represent the appraised value of the canning plants. The remaining 2,840,000 yen will be obtained by the sale of shares.

Under the articles of association, the pineapple canning industry will hereafter be a quasi-government monopoly, even though shares in the pineapple company may be privately held.

It is further announced that all pineapple plantations are to be brought into one amalgamated company. The present production of pineapple in Taiwan is officially reported to be 1,000,000 cases per annum. It is planned to increase this production to 2,000,000 cases in a few years.

Weights and Measures Conference

A national conference on weights and measures will be held June 4 to 7, inclusive, at the United States Bureau of Standards, Washington, D. C. Specifications and tolerances for commercial weighing and measuring devices will be considered at the conference, which it is expected will attract representatives from all parts of the country.

Pea Canning in Southern Italy

Pea canning in Italy is relatively small as compared to that of tomato products, but there seems to be a constantly growing domestic demand as well as increased progress in selling to foreign markets, according to the American consul at Naples. This year's pea crop in Italy has turned out about the same as in 1934, somewhat contrary to expectations. Early estimates indicated a considerably larger 1935 crop. The peas this year are, however, of good size, of a clear green color and of an excellent taste.

The four South Italian departments of Campania, Apulia, Lucania and Calabria produce about two-thirds of all the peas grown in Italy. In these four departments the crop amounted to 133,330 quintals of 220.4 pounds in 1933.

Last year's pea prices at the field were in the neighborhood of 35 lire per quintal, but this year the growers have been asking around 70 lire, apparently counting on a short crop due to bad weather conditions in April. They seem, however, to have underestimated the supply, and canners have been declining to buy at the high price asked and give every evidence of having dug in while waiting for an expected drop to not more than 40 lire.

According to reports received from the canners near Naples, from 20 to 25 per cent more peas will be canned this season than last year

because of an expected livelier demand. Military operations in connection with Italian East Africa will probably play a part in stimulating demand.

Cold Wave Damages European Crops

Fruit and vegetable crops all the way from England to northern Italy were damaged by a cold wave which settled over Europe on May 15 and persisted until May 20, according to reports received by the Bureau of Agricultural Economics from its European offices. It is not yet possible to estimate the extent of the loss, but all indications point to heavy damage in England and France at least, and probably over the Continent generally.

Work in the Home Economics Field

During this past week Miss Atwater spoke at the annual convention of the Business and Professional Women's Clubs of New York State held at Saratoga Springs. Mrs. Emily Newell Blair, Chairman of the Consumers Advisory Board of the N. R. A., was also a guest speaker. The topic for discussion was "Women of Tomorrow." There was an attendance of about 350 women, representing some 36 clubs over the state.

Just to give a slight idea of how little some people know about canned foods, Miss Atwater sat across the luncheon table from a physician who asked for more information about labeling, and when the talk was finished remarked, "But are you not going to tell us about the preservatives." It is always a shock to find educated persons believing that preservatives are used in canned foods.

Miss Black spoke to the Massachusetts State Conference of the Consumers' Council in Boston on the subject of "Standards and Labeling of Canned Foods." Mr. Calvin Bryce Hoover, from the Consumers' Counsel of the Agricultural Adjustment Administration in Washington, was the main speaker on the program. His topic was "The Consumer's Outlook."

During the same trip to Boston Miss Black spoke on the Consumer Council radio broadcast for 15 minutes, minus the 30 seconds for station announcement at the beginning and end of the program. She spoke as a guest of WMAC and the talk was on the general value of canned foods, with some discussion of the descriptive labeling plans.

The women in these various meetings where Miss Black and Miss Atwater have talked since the first of the year seem delighted to hear something more about canned foods. Many have a very hazy, nondescript understanding and prejudice against canned foods in general and are ready to give their full attention to the subject.

Government Supplies Creosote for Chinch Bug Control

Government purchases of creosote for protection of the corn crop from the chinch bug are now being made through an office set up by the U. S. Bureau of Entomology in Minnesota for this purpose. Supplying of creosote, free of cost, to the farmers for use in construction of chinch bug barriers was made possible through a special item of \$2,500,000 for the purpose in the U. S. Department of Agriculture Appropriation bill.

The creosote is allocated to the corn belt states on the basis of chinch bug infestation surveys. Shipment is made by the Government Purchasing Office to points designated by the Chairman of the Chinch Bug Control Committee or his representative in each state having infested territory. Applications from growers for creosote are made through the county commissioners or through the county agricultural agent. No handling charge by the states is permitted, and there is no cost to the farmers for the material.

Past experience has demonstrated that barriers with creosote as the killing agent afford the best protection for corn fields against chinch bug attack. Detailed instructions for construction of creosote barriers have been published by federal and state entomologists.

Migration of chinch bugs from winter hibernating quarters to small grains has been delayed by low temperature and rainy weather. The migration, however, is still progressing. Small grains have been favored by the same weather conditions which have held back chinch bug migration, and all states report some reduction in the anticipated chinch bug damage. It is still too early to forecast the chinch bug hazard to the sweet corn crop, although in Iowa the entomologists report that the movement of the bugs from small grain fields to corn will be two weeks later than last year. In 1934 the first barriers were constructed in Iowa about May 27th. This year it is anticipated that June 15th-20th will see the first migrations to corn.

CONTENTS

	Page	Page	
Bills to amend A.A.A. sent back to committee	4489	Merger of all pineapple canneries in Taiwan	4403
Senate passes Copeland bill.....	4489	Weights and measures conference	4494
Sweden grants concessions on canned products	4491	Pea canning in southern Italy.....	4494
Crop conditions	4491	Cold wave damages European crops	4495
Fruit and vegetable market com- petition	4493	Work in the home economics field	4495
Production and stocks of canned milk	4493	Government supplies creosote oil for chinch bug control.....	4496